IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO : 23723 of 2003

Between:

B. Dastagiri, S/o. Dastagiri
R/o. Sumitranagar, Badwel, Cuddapah District.

..... PETITIONER

AND

1. The Divisional Cooperative Officer, Rajampet, Cuddapah District.
2. The Anantharajapuram, PACS Anantharajapuram, Badwel Mandal, Cuddapah District rep by its Chairman/PIC.
3. B. Pulla Reddy, Branch Manager Member of PIC, Anantharajapuram PACS, Badwel Mandal, Cuddapah District.
4. N. Viswanatha Reddy, Supervisor Badwel D.C.C.B. Branch/Member of PIC, Anantharajapuram PACS, Badwel Mandal, Cuddapah District.
5. A. Naga Raju, Sub-Divisional Cooperative Officer Member of PIC, Anantarajapuram PACS, Badwel Mandal, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents 3 to 5 in issuing impugned proceedings dated 22-10-2003 suspending the petitioner from service for paying salaries to the employees as highly illegal, arbitrary without jurisdiction and also contrary to the service regulations and violative of Art, 14 of the Constitution of India apart from contrary to the provisions of A.P.C.S. Act and Consequently set aside the same.

Counsel for the Petitioner: MR. G. V. SHIVAJI

Counsel for the Respondent No.1: GP FOR COOPERATION

Counsel for the Respondent Nos.2 to 5: None appeared

The Court made the following:

ORDER:

Petitioner questions the order dated 22-10-2003 issued by the respondents 3 to 5 in suspending him from service for misappropriation of funds to the tune of Rs.20,800-00 in drawing the salaries to the employees of the second respondent Cooperative Society in violation of
Section 116-C of the Andhra Pradesh Cooperative Societies Act,

2. The relief sought in this writ petition, is squarely covered by the judgment of this Court in W.P.No.3171 of 2003 and Batch dated
30-08-2004 against the petitioner.

3. Following the above said judgment, the writ petition is accordingly dismissed in terms of the said judgment passed in W.P.No.3171 of 2003 and Batch dated 30-08-2004. No costs.

V. ESWARAIAH, J

Dt.17-09-2004

Glv/Da

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copies to:

1. The Divisional Cooperative Officer, Rajampet, Kadapah District.
2. Two C Cs to the Government Pleader for Cooperation, High Court Buildings, Hyderabad. (O.U.T)

3. Two C D copies.